

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

NICK AGAPOV, *et al.*

Plaintiffs

v.

PRINCE GEORGE’S COUNTY, *et al.*

Defendants

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\* **Case No: 8:23-CV-03191-TDC**  
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**DEFENDANTS’ REQUEST TO MODIFY SCHEDULING ORDER**

The Defendants, pursuant to this Court’s scheduling order entered on February 7, 2024 (ECF 14), respectfully request that the Court modify its current scheduling order, and as an explanation offer the following:

1. This action was commenced by the filing of a complaint by 14 current and retired police officers against 14 defendants (29 parties in all including the County) alleging that they have been improperly prosecuted for criminal actions and improperly subject to administrative disciplinary proceedings by the Prince George’s County Police Department. The Defendants consist of current and former (retired) police officers, the County Executive, Chief Administrative Officer, Chief of Police, and a (now) Circuit Court Judge.

2. The original complaint, filed on November 21, 2023, contained 91 pages and 281 paragraphs asserting a laundry list – literally dozens of independent and discreet allegations- of grievances against the 14 defendants. So long was the complaint that the court struck it and allowed a shorter, but no less equally as extensive in its grievances, to be filed. The second complaint, filed on December 14, 2023, and although shorter in length, nonetheless asserts dozens of the same issues and nine (9) counts of alleged violations of Federal and

State constitutional provisions and state common law torts, all of which read as a laundry list of grievances by the fourteen plaintiff police officers against the defendants and the police department (ECF 12).

3. The parties have yet to discuss a discovery plan. Plaintiff's counsel was contacted via email by the undersigned on Monday, February 12, 2024, to gauge his view on this request and invite him to join in it but no response was received.

4. The potential scope of discovery in this case is massive, some parties are no longer employed by the County, and others are high ranking public officials. Scheduling depositions and exchanging and responding to written discovery may take many months to complete. Discovery disputes in cases of this magnitude are also inevitable and may take time to resolve. Defendants believe, therefore that the June 21, 2024, discovery deadline is far too ambitious.

5. Accordingly, the defendants request that the Court enter an order modifying the scheduling order to permit the defendants to have 42 hours of deposition time, or three hours per plaintiff (3 hours per 14 plaintiffs equals 42 hours), and to change the deadlines as follows:

**Current Schedule**

**Proposed Schedule**

April 8, 2024	Plaintiffs' Rule 26(a)(2) expert disclosures	May 7, 2024
May 7, 2024	Defendants' Rule 26(a)(2) expert disclosures	June 7, 2024
May 21, 2024	Plaintiffs' rebuttal Rule 26(a)(2) expert disclosures	June 28, 2024

June 21, 2024	Completion of Discovery, joint status report	December 6, 2024
June 28, 2024	Requests for admission	December 20, 2024

WHEREFORE, for reasons stated, the defendants respectfully request that the Court modify the current scheduling order to reflect the deadlines proposed herein and in the accompanying order filed herewith, and to extend the deposition hours allotted to the defendants to 42 hours.

Respectfully submitted,

RHONDA L. WEAVER  
COUNTY ATTORNEY

SHELLEY L. JOHNSON  
DEPUTY COUNTY ATTORNEY

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 16<sup>th</sup> day February 2024, a copy of the foregoing was emailed to the following:

Ray M. Shepard, Bar No. 09473  
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*Dwight D. Jackson*

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